

## REMARKS

In the application claims 48-67 remain pending. Claims 1-47 have been canceled without prejudice.

No claims presently stand allowed. The reconsideration of the rejection of the claims is, however, respectfully requested.

Pending claims 48-67 presently stand rejected under 35 U.S.C. § 103 as being rendered obvious over Treyz (U.S. Patent No. 6,678,215) as modified by Nishizawa (U.S. Patent No. 6,842,779).

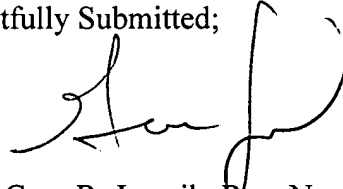
In response, it is respectfully submitted that Treyz fails to be “prior art” under any section of 35 U.S.C. § 102. In this regard, Treyz was filed on March 20, 2000 claiming priority to a provisional application for patent filed on December 28, 1999. While the subject application for patent was filed on July 11, 2000, the subject application for patent claims the benefit of provisional application numbers 60/143,475, 60/158,986, and 60/166,052 filed on July 12, 1999, October 12, 1999, and November 17, 1999, respectively. Since the filing date of each of these provisional applications for patents predates the earliest filing date to which Treyz may be entitled, it is respectfully submitted that the rejection under 35 U.S.C. § 103 must be withdrawn.

## CONCLUSION

It is respectfully submitted that cited references fail to disclose each and every element set forth in the claims and, for at least this reason, the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

The Commissioner is authorized to charge any fee deficiency or credit overpayment to deposit account 50-2428 in the name of Greenberg Traurig.

Respectfully Submitted;

A handwritten signature in black ink, appearing to read "Gary R. Jarosik", written over a horizontal line.

Date: August 23, 2005

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